Legal Validity of POTA

4845. SHRI MANOJ BHATTACHARYA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a Division Bench of the Hon'ble Supreme Court is currently considering a batch of petitions challenging the legal validity of POTA;

(b) if so, the details thereof;

(c) whether Government have filed an affidavit in the Court and revise its stand from its earlier position;

(d) if so, the details thereof and reasons therefor; and

(e) whether the revised Government stand signifies the Government's intention to have the POTA reviewed?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) and (b) The Division Bench of the Supreme Court has heard the arguments in respect of certain Writ Petitions challenging the constitutional validity and certain provisions of the Prevention of Terrorism Act, 2002.

(c) to (e) In case of the Writ Petition filed in the Supreme Court by Shri Vaiko, the Central Government filed an additional Affidavit mentioning the correct stand in the matter *inter-alia* indicating that the Government of India fully supports the constitutionality of the Prevention of Terrorism Act, 2002.

Pakistani national staying in Kerala

4846. SHRI N.K. PREMACHANDRAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Pakistani nationals are staying in Kerala without valid visas;

(b) if so, the details thereof with District-wise data;

(c) whether Government of Kerala sought the permission of Central Government to allow them to continue in the country;

(d) if so, whether Government have taken any decisions therein;

(e) whether Government proposed to confer those persons with refugee status; and

(f) the reaction of Government thereto?